

**YANCEYVILLE TOWN COUNCIL  
MEETING MINUTES**

Tuesday, February 4th, 2025, 6:00pm

The meeting of the Yanceyville Town Council was held in the Town Council Chambers at the Yanceyville Municipal Services Building located at 158 East Church Street, Yanceyville, NC and streamed through the Webex platform on Tuesday, February 4th, 2025, at 6:00pm.

**Council Members present:** Mayor Alvin Foster, Mayor Pro Tem- Darrell McLean, Kenneth Darnell and Keith Tatum

**Council Members absent:** Brian Massey

**Staff present:** Kamara Barnett-Town Manager/Clerk, Lee Farmer-Town Attorney, Miranda Harrelson- Deputy Clerk, and Kathryn Hinton-Administrative Assistant

**Item 1: Call to Order**

Mayor Alvin Foster called the Town Council Meeting to order at 6:02pm. The meeting opened with a prayer. He asked all to stand for the pledge of allegiance. Mayor Foster also stated that the Yanceyville Town Council rules and procedures reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request. Yanceyville Town Council also has rules and procedures for electronic meetings that reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request. Mayor Foster stated that it is the policy of the Yanceyville Town Council to allow 15 minutes during each monthly meeting for public comment. Individuals will be called in the order signed up to speak. There is a three-minute time limit for everyone.

**Item 2: Review of Agenda – Mayor & Council**

Mayor Foster added Item 4a: Audit Report for Fiscal Year 2024: Becky Loy- Cobb Ezekiel Loy & Company, P.A., Patrica Rhodes and Joey Purgason- Stout, Stuart, McGowen & King and in Item 6: removed “Discussion” and replaced with “Presentation”. Mayor Foster asked the Town Council for a motion. Councilman Darnell made a motion to approve agenda as amended. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

**Item 3: Consent Agenda**

- a. Minutes from January 7th, 2025, Town Council Meeting

Mayor Foster asked the Town Council to review the Consent Agenda. After a short review, Councilman Darnell made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

#### **Item 4: Public Comment**

Mayor Foster asked if anyone signed up for public comment? Ms. Hinton, Administrative Assistant, indicated that we have one person who signed up for public comment, Mrs. Patricia Price Lea.

Mayor Foster asked Mrs. Price Lea to proceed to the podium and state her address for the record.

Mrs. Patricia Price Lea, 313 Wall Street, Yanceyville, NC 27379. Mrs. Price Lea stated that I stand before you tonight with two issues. The first issue is that the number of vehicles parked in Yanceyville overnight for days and days at a time with Virginia tags is disturbing that live in Town. For two reasons, the first reason is there is no tax revenue that is generated for the Town of Yanceyville and Caswell County. If there is a fire or public safety issue, the Sheriff's Department and Fire Departments including Yanceyville and surrounding areas use their resources to put out the fire if a car has a fire. Somehow that doesn't seem fair to the citizens of the Town of Yanceyville and Caswell County. The second one is my personal gripe, and I am in violation, when it comes from code enforcement. I get notices just like a lot of other people around Town. Mrs. Price Lea stated she would like to suggest limiting the number of notices sent out regarding the same violation. She noted that I get my mail at the Post Office, and I make a choice of how often I go to the Post Office, it might be two weeks, or it might be three days, so it sort of varies. Receiving several certified return receipt letters, which are expensive at \$9.84 certainly seems like a tremendous amount of waste. She thanked Town Council for the opportunity and time to speak.

Mayor Foster thanked Mrs. Price Lea for her comments.

#### **Item 4a: Audit Report for Fiscal Year 2024: Becky Loy- Cobb Ezekiel Loy & Company, P.A., Patricia Rhodes and Joey Purgason- Stout, Stuart, McGowen & King**

Mayor Foster introduced Becky Loy, Cobb Ezekiel Loy & Company P.A to the Town Council to review and discuss the Town's audit financial reports for Fiscal Year 2024. Mrs. Loy thanked the Town Council for allowing her to present information to them. Mrs. Loy stated that she would like to provide Town Council a summary of the report, and then answer any questions that Town Council may have. After giving a summary, Mrs. Loy informed the Town Council that the Town received an unmodified opinion, which is the best and cleanest opinion that can be received. The procedures, policies, and the way that data is collected support the information that you are getting in your financial statements. Mrs. Loy stated that there are a lot of numbers and a combination of numbers and you as a Town Council want to have confidence that the numbers are correct, and that is what the audit is designed to do. Mrs. Loy asked the Town Council to turn to page eleven the Government Wide Financial Analysis Report. She explained that the net position may serve over time as one useful indicator of a government's financial condition.

The assets and deferred outflows of the Town of Yanceyville exceeded liabilities and deferred inflows by \$16, 171,538 as of June 30, 2024. The Town's net position increased by \$191,810. However, the largest portion (69.51%) reflects the Town's net investment in capital assets (e.g. land, buildings, machinery, and equipment). The Town of Yanceyville uses these capital assets to

provide services to citizens; consequently, these assets are not available for future spending. Although the Town of Yanceyville's net investment in capital assets is reported net of the outstanding related debt, the resources needed to repay that debt must be provided by other sources, since the capital assets cannot be used to liquidate these liabilities. An additional portion of the Town of Yanceyville's net position, \$668,520, represents resources that are subject to external restrictions on how they may be used. The remaining balance of \$4,262,283 is unrestricted

Mrs. Loy explained that she had no problems or disagreements with Town Management while performing the audit, but there were concerns. She indicated the following. Segregation of Duties: Criteria: The assignment of responsibilities should be segregated so that one person is not responsible for the authorization and recording of a transaction and the custody of the related asset. There needs to be a reconciliation or control activity to provide reasonable assurance that transactions are handled appropriately. Condition: Key duties and functions are not segregated among Town personnel. This is especially a concern in the cash management, account receivable, purchasing, and payroll functions. Effect: Transaction could be mishandled, due to errors or fraud that could lead to loss of assets or the reporting of misleading financial information. Cause: There are a limited number of personnel for certain functions. Identification of a repeat finding: This is a repeat finding from the immediate previous audit Recommendation: The duties should be separated as much as possible, by possibly training and utilizing non-financial personnel and utilizing alternative controls. The governing board should provide some of these controls. Contractual Violation: Criteria: The Bond Order required debt service coverage to be no less than 110% G.S 159-28(a) Condition: The debt service coverage is 64%) Effect: The Town is out of compliance with the Bond Cause: The water and sewer revenues were less than the expenditures due to receiving less revenue than expected. Recommendation: The Town of Yanceyville needs to charge for a sufficient amount of water and sewer services to cover the required debt service payments.

Ms. Loy thanked the Town Council for allowing her company to be the auditors for the Town. Mrs. Loy also thanked the Town Council and Town Staff for their assistance during the audit. Mayor Foster thanked Mrs. Loy for her work.

\*Audit ending June 30, 2024, will be posted on Town website

#### **Item 5: Water and Wastewater Treatment Facilities Update -Adam Brooks, Inframark Operations Manager**

Town Manager Barnett indicated that Mr. Adam Brooks, Inframark Operations Manager, was unable to make the meeting tonight. Town Manager Barnett read the monthly report aloud:

#### Yanceyville Water Treatment Plant

Water Treatment Plant operated in full compliance during the month of January

The finished water caustic pump was replaced.

Clearwell level indicator is still out of service. The new card has been ordered at this time plant operators are reading manual gauge on the side of the Clearwell storage tank

Replaced vacuum air lines for filter wash process.

Replaced #2 Filter sample pump.

There was a water break in the distribution system on January 26<sup>th</sup>, 2025, due to the size line break and amount of water loss, plant operators worked additional hours to ensure tank had plenty of water.

Yanceyville Wastewater Treatment Plant

Wastewater Treatment Plant operated in full compliance during the month of January. (Waiting for the final set of results).

Aerator #1 and for SBR #1 are O/S. Underwood was onsite January 20<sup>th</sup> and installed Aerator but was not working the next day.

Mixer #3 for SBR for SBR #2 was installed by Underwood on January 20<sup>th</sup> and back in service Started decanting water from the Lagoon.

**Item 6: Presentation of Chestnut Commons and Chestnut Reserve Yanceyville NC – Donald Croteau, Homestead**

Mayor Foster introduced Mr. Donald Croteau, Homestead, to the Town Council. Mr. Croteau thanked Town Council for the opportunity to present. Mr. Croteau explained that two parcels are owned by Normbrew LLC with a combined 28.27 acres. The parcels will be recombined into a single parcel for subdivision development. Create a mixed- use community consisting of Townhouses and single- family homes. There will be 17 Townhome Lots (34 doors in concept and 94 single family lots (94 doors in concept). A total of 128 units will be available in the new subdivision. The removal of the cul de sac to accommodate a second access/ egress point will likely result in two additional townhome lots being created so 132 units could be in the new subdivision. A HOA with typical restrictions and controls will be installed with the creation of the subdivision.

It is expected that the developer will retain a typical class b control of the subdivision and the HOA until a certain number, or percentage of the lots are sold or improved. Each lot designed will be 70' X 120'. Modifications to the current front setback will be required to accommodate the Townhouse Designs (assumed as duplex for the concept). Mr. Croteau mentioned that he would like to request expedited Planning Board entitlement approval for this mixed- use zoning and setback. A 30ft wide NCDOT standard roads are shown in the concept but should be reduced in width after engineering is completed. Cul de sac with a NCDOT standard design as shown but will be removed to accommodate a second access/egress point. Adequate and esthetic green space and sitting areas are included in the concept design. Water and sewer capacity is required. A firm decision on the technical/municipal requirements for a lift station is required.

Mayor Foster thanked Mr. Croteau for presenting it to Town Council. He noted that this presentation does not circumvent the process. This presentation will also be given to the Planning Board for review and discussion and brought back before Town Council for consideration.

\*Renderings are attached

**Item 7: Discussion of First Avenue, Yanceyville NC – Councilman C. Keith Tatum**

Councilman Tatum expressed concerned with traffic safety along First Avenue. He mentioned that back in 2018 the Town Council had reviewed this street and decided to change to a one-way street. He noted that he has observed large trucks parked in front of no parking signage which impedes traffic and traffic traveling in the wrong direction on the street. Town Manager Barnett indicated that when the Town shuts down streets for certain events such as the Hoedown it affects how the Town can detour traffic. Councilman Tatum mentioned that the nature of the business, Winstead Auctions has gone to online sales and warehousing therefore the street should be change back to a two-traffic street.

After a lengthy discussion, Mayor Foster asked the Town Council for a motion. Councilman Darnell made a motion to request that Department of Transportation change First Avenue, Yanceyville, NC back to a two-way street. The motion was seconded by Mayor Pro Tem McLean that passed with a unanimous vote.

Mayor Foster added that we will reach out to NCDOT to get an update on changing the street back to a two way street.

**Item 8: Town Manager Updates – Kamara Barnett**

a. Consideration of Internal Controls Policy ARP Funding

Town Manager Barnett presented the Subaward and Monitoring Policy for Expenditure of American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds Town Manager Barnett explained that this is one of the standard policies that the Town will need to adopt. She indicated that the policy has been reviewed by Town Attorney, Lee Farmer.

Mayor Foster asked Town Council to make a motion. Councilman Tatum made a motion to adopt Subaward and Monitoring Policy for Expenditure of American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds. The motion was made seconded by Councilman Darnell and passed with a unanimous vote.

\*See attached

b. Directed Grant- Regional Economic Development Reserve

Town Manager Barnett announced that the Town received The Disaster Relief-3/Budget/Various Law Changes – Session Law 2024-57 which was passed on December 11, 2024. The bill has a technical correction for the State grant to the Town of Yanceyville. The bill states that the directed grant to the Town of Yanceyville in the sum of two hundred fifty thousand dollars (\$250,000) in nonrecurring funds for the fire department to construct a substation at the municipal airport shall instead be used for general water and sewer needs.

She further explained that with assistance from the North Carolina Office of State Budget and Management Office and Councilman Tatum the Town was able to get the funding re allocated for water and sewer needs and improvements.

Town Manager Barnett also noted that the Town has started upgrading and updating several critical sidewalk needs throughout Town. She mentioned that over the next few weeks, you will see crews in Town. She added that the Town receives funding from the North Carolina Department of Transportation, Powell Bill Fund to assist with these types of projects. The Public Works Department does sidewalk inventory and creates a prior list that we work to complete annually.

Town Manager Barnett explained that the Town of Yanceyville has recently completed its initial inventory of water service lines, complying with the federal regulation called the Lead and Copper Rule Improvements (LCRI) set by the EPA. This newly enacted federal regulation requires that the Town notify customers if their material type is unknown, galvanized, or lead.

She explained that at this time the Town has completed the public side of the meter. Letters did go out residents, however several letters were returned to the Town. They were undeliverable by USPS. Our Town Engineers AWCK have since reissued all the return letters to residents. When residents return the notification if they wish for the contractor to check the private side of the meter they will be notified of possible date.

#### **Item 9: Town Attorney Update – Lee Farmer**

Town Attorney Farmer indicated that he had a few items for Town Council. He noted that the Auditors provided an overview of the current financial condition, and she mentioned that our bond covenants are still not in compliance, we're down 46 %. He noted that he just want Town Council to be aware that this needs to be adjusted in the new upcoming budget. He noted that we are in violation of our conveyance to the lender because we have not met the criteria of 110 %.

Attorney Farmer reported that the Town has received several correspondences, complaints and demands from certain constituents in Town.

He noted that the first one involves property owner and citizen, Ms. Alisa. Chapman located on Moorfield Road. He noted that she has caused a lot of difficulty for the Town and the Public Works Department. He noted that Ms. Chapman has taken the position that the Town has NO right to come onto her property. Attorney Farmer noted that Ms. Chapman has been misinformed she doesn't know the conditions of her property legally. He explained that the Town has two recorded easements on this property, we also have a recorded easement map that dated back to 1993. There is also a survey that shows these dedicated easements. One of the easements is a major sewer line. Public Works has had difficulty with her on several occasions resulting in the Sheriff's Department being called. These issues are what precipitated the letter to be sent to Ms. Chapman. Town Attorney Farmer further explained that the Town has the right to go on to the property to repair, monitor, and supervise the lines on the property at any time. The letter simply outlines that if Ms. Chapman continues to obstruct the Town, then we will take legal action. Attorney Farmer reported that he also met with Sheriff Durden and gave him a copy of the letter.

\*Letter attached

He also noted that The property owners at 336 West Main Street have sent three public records requests to the Town. One was sent on December 20<sup>th</sup>, 2024, December 23,2024 and, January 17<sup>th</sup>, 2025 from Mr. Christopher and Vicki Hastings. He noted that these requests were addressed to the Town Manager. Since these requests or letters have gone out, the Town Manager, Deputy Clerk Mayor, other Town Staff and IT consultants have been going through town records to fulfill the request.

To comply with the public records request. You'll see a two-page response from Mrs. Barnett to Mr. Hastings. We provided him with everything that we had in our database and files that were disclosable under North Carolina law. Some of the things that he requested are not disclosable because they are personnel records, and the letter kind of speaks for itself. This is for y'all's information to review. On January 17<sup>th</sup>, 2025, Mr. Hasting sent a second request to the town as a public record. He wanted, he wanted Town's records, and some don't exist regarding water meter readings for the properties located at 336 West Main Street and 437 Main Street. Attorney Farmer noted that this is his property and adjoining landowner. He wanted those readings from 1996 up to 2023. State law does not allow that. These readings are not public records, so we sent a second response to him. In addition to those requests, Mrs. Hastings, the wife of Mr. Hastings, sent another letter directed to the Town Manager complaining about Town employees being on their property, and trespassing on their property, and we did send a response, it's clear. He noted that there is a private sewer line there on the property. There is a controversy between the two landowners which is a private issue between the two property owners. The Town sent a response that was very clear. If there is a problem on that line that impacts the Towns infrastructure, the Town will respond due to it becoming a public health issue. As far as the private line we don't own , we have no reason to go on the property for that particular line. We have a dedicated easement across the property for the major water transition line from the Water Plant to the elevated storage tank. That has been in place since 1952. Mr. R. Sterling Graves deeded that easement to the Town when it was the Sanitary District. It's a perpetual easement. As a public utility were on notice 24 hours a day, and we will access the property as we need to motion, inspect and or supervise.

\*Letters attached

### **Item 10: Closed Session North Carolina General Statues 1430318.11: Litigation and Personnel**

Before proceeding to the Closed Session Attorney Farmer asked Town Council to allow Patrick Harrigan, Partner & Parrish P.E. to be allowed in Closed Session.

Mayor Foster asked Town Council for a motion. Councilman Tatum made a motion to invite Mr. Harrington, Partner & Parrish P.E. into Closed Session and to convene Closed Session under General Statues 143-318.11 Litigation and Personnel Contractual Attorney Client Consultation (7:12pm). The motion was seconded by Councilman Darnell and passed with a unanimous vote.

After Town Council returned from Closed Session, Mayor Foster asked for a Town Council motion to come out of Closed Session. Councilman Darnell made a motion to come out of closed

session. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote. (7:35pm)

Mayor Foster asked the Town Council for a motion. Councilman Darnell made a motion to return to Regular Session. The motion was seconded by Mayor Pro Tem McLean and passed with a unanimous vote. (7:36pm).

**Item 11: New Business**

None

**Item 12: Adjournment**

Mayor Foster asked the Town Council for a motion to adjourn. After no further discussion, Councilman Tatum made a motion to adjourn the February 4th, 2025, Town Council Meeting/ The motion was seconded by Councilman Darnell and passed with a unanimous vote. The meeting ended at 7:38pm.

*Kamara Barnett, Town Clerk and Miranda Harrelson, Deputy Town Clerk prepared the above minutes. They give a brief description of those matters that were addressed at this meeting.*

Respectively Submitted:

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Alvin Foster, Mayor

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Kamara Barnett, Town Clerk

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Miranda Harrelson, Deputy Town Clerk